| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/762,731 | 01/22/2004 | Paul M. Moody | 260-011 LOT9-2003-0112US1 | 5629 |

| EXAMINER |
|---|
| ABDUL-ALI, OMAR R |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2178 | |

44185      7590      03/20/2008
LOTUS AND RATIONAL SOFTWARE
David A. Dagg, Esq.
44 Chapin Road
Newton, MA 02459

| NOTIFICATION DATE | DELIVERY MODE |
|---|---|
| 03/20/2008 | ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

dave@davedagg.com

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/762,731 | MOODY ET AL. |
| | Examiner | Art Unit | |
| | Omar Abdul-Ali | 2178 | |

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>23 December 2007</u>.

2a)☐ This action is **FINAL**.  2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) <u>1-28</u> is/are pending in the application.

　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-28</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　a)☐ All b)☐ Some * c)☐ None of:

　　1.☐ Certified copies of the priority documents have been received.

　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　application from the International Bureau (PCT Rule 17.2(a)).

　* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

The following action is in response to the Request for Continued Examination (RCE)

filed December 23, 2007.  Amended claims 1-28 are pending and have been

considered below.

1. Examiner's Note:  The prior art rejections have been withdrawn as necessitated by

Applicant's amendments.

### Claim Rejections - 35 USC § 103

2.  The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.      Claims 1-6, 10-15, 19-25, 28, and 29 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Tang et al. (US 5,793,365) in view of Knox et al. (US

7,076,533).

Claims 1, 10, 19, and 28:  Tang discloses a system and method providing a computer

user interface enabling access to distributed workgroup members, further disclosing

obtaining a plurality of user representations corresponding to respective one of a

plurality of users with whom said selected remote user previously communicated

(column 8, lines 40-45).  Specifically, Tang discloses displaying the names and images

of the participants of a remote communication session. A previous communication, reasonably interpreted, is a message sent by the remote user during a current communication session. Tang does not explicitly disclose the users communicated across a plurality of different communication applications, wherein said plurality of different communication applications includes electronic mail. Knox discloses a similar method and system for providing information describing detected uses of communication software applications that further discloses reporting a user's previous email activity information and a user's internet application usage history (Figure 2). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide information describing the previous use of a plurality of different communication software applications including an electronic mail application in Tang because describing previous usage of software applications was recognized as part of the ordinary capabilities of one skilled in the art. Further, the Examiner takes OFFICIAL NOTICE that it is old and well known in the computer arts for an administrator to track the email activity of remote users using a log. One would have been motivated to provide information describing the previous use of a plurality of communication software applications including an electronic mail application in order to determine the frequency a user accesses each of their communication applications.

Tang discloses presenting said plurality of user representations in a computer system display, wherein all of said plurality of user representations are presented simultaneously in said computer system display (column 8, lines 40-45), but does not explicitly disclose that the plurality of user representations are presented in the order in

which the user communicated with each user. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to present these representations in chronological order. One would have been motivated to present the representations chronologically in order to determine the order of the recent collaborative activities of a remote user.

Claims 2, 11, and 20: Tang and Knox disclose a system and method providing a computer user interface enabling access to distributed workgroup members as in Claims 1, 10, and 19 above, and Tang further discloses:

  a. each of said plurality of user representations comprises an image of said corresponding one of said plurality of users with whom said selected remote user recently communicated (column 8, lines 40-45).

Claims 3, 12, and 21: Tang and Knox disclose a system and method providing a computer user interface enabling access to distributed workgroup members as in Claims 2, 11, and 20 above, and Tang further discloses:

  a. each of said plurality of user representations comprises an indication of a communication application used for communication between said one of said plurality of users and said selected remote user (column 8, lines 40-45) Specifically, Tang discloses presenting the images of the individuals involved in a videoconference.

Claims 4, 13, and 22: <u>Tang</u> and <u>Knox</u> disclose a system and method providing a computer user interface enabling access to distributed workgroup members as in Claims 2, 11, and 20 above, further comprising obtaining a second plurality of user representations, each corresponding to a respective one of a plurality of users with whom a local user recently communicated, and displaying the representations simultaneously (column 5, lines 13-43). But, <u>Tang</u> does not explicitly disclose that the plurality of user representations are presented in the order in which the user communicated with each user. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to present these representations in chronological order. One would have been motivated to present the representations chronologically in order to determine the order of the recent collaborative activities of a remote user.

Claims 5, 14, and 23: <u>Tang</u> and <u>Knox</u> disclose a system and method providing a computer user interface enabling access to distributed workgroup members as in Claims 2, 11, and 20 above, and <u>Tang</u> further discloses:

      a. each of said second plurality of user representations comprises an image of said corresponding one of said plurality of users with whom said local user communicated (column 8, lines 40-45)

Claims 6, 15, and 24: <u>Tang</u> and <u>Knox</u> disclose a system and method providing a computer user interface enabling access to distributed workgroup members as in Claims 5, 14, and 23 above, and <u>Tang</u> further discloses:

     a. each of said plurality of user representations comprises an indication of a communication application used for communication between said one of said plurality of users and said selected remote user (column 8, lines 40-45). Specifically, <u>Tang</u> discloses presenting the images of the individuals involved in a videoconference.

4.     Claims 7-9, 16-18, and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Tang et al.</u> (US 5,793,365) in view of <u>Knox et al.</u> (US 7,076,533) and further in view of <u>Godefroid et al.</u> (US 6,697,840).

Claims 7, 16, and 25: <u>Tang</u> and <u>Knox</u> disclose a system and method providing a computer user interface enabling access to distributed workgroup members as in Claims 1, 10, and 19 above, but neither reference explicitly discloses presenting an interface to said local user, wherein said interface enables said local user to specify that information regarding communication activities of said local user that are to be shared with remote users. <u>Godefroid</u> discloses a similar system for presence awareness in collaborative systems that further discloses controlling remote user access to private data (column 6, lines 12-19). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to specify whether the communication activities of a local user are allowed to be accessed by remote users.

One would have been motivated to restrict access to information regarding their collaborative activities for privacy purposes.


Claims 8, 17, and 26: Tang and Knox disclose a system and method providing a computer interface enabling access to distributed workgroup members as in Claims 1, 10, and 19 above, and Godefroid further discloses allowing or disallowing queries regarding the recent collaborative activities of the user (column 6, lines 12-19). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to specify which communication activities of a local user are allowed to be viewed by remote users. One would have been motivated to restrict access to information regarding their collaborative activities for privacy purposes.


Claims 9, 18, and 27: Tang and Knox disclose a system and method providing a computer interface enabling access to distributed workgroup members as in Claims 1, 10, and 19 above, and Godefroid further discloses allowing or disallowing queries from specific users regarding the recent collaborative activities of the user (column 6, lines 12-19). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to specify which users may be presented information regarding the communication activities of a local user. One would have been motivated to specify which users can view information regarding their collaborative activities for privacy purposes.

### *Response to Arguments*

5.      Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Abdul-Ali whose telephone number is 571-270-1694. The examiner can normally be reached on Mon-Fri(Alternate Fridays Off) 8:30 - 6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OAA                                          /Stephen S. Hong/
3/12/2008                                     Supervisory Patent Examiner, Art
                                              Unit 2178